IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE M.NARAYANA REDDY

WRIT PETITION No. 3969 of 2002

Between:

1.K.Vivekanand, Court Master, High Court of A.P. Hyd.
2.Shaik John Basha, Personal Secretary to Hon'ble Judge
High Court Of A.P.
3. The Court Masters & Personal Secretaries to the Hon'ble Judges
Association, High Court Of A.P.

Hyderabad, represented by its Secretary, A.Venkateswar Rao.

..... PETITIONERS

AND

1.The Registrar General, High Court Of A.P., Hyderabad.
2. A.V.Prasad, Assistant Registrar,
High Court Of A.P, Hyderabad.
3. K.Venkataramaiah, Assistant Registrar,
High Court Of A.P., Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction more particularly one in the nature of Writ of Certiorari or any other appropriate writ, order or direction, and call for records relating to and connected with the proceedings in R.O.C.No 6463/2001-Estt. Dated 11 -9-2001 issued by the first respondent-Registrar General and declare them as illegal, arbitrary and violative of Articles 14 and 16 of the Constitution of India and consequently to set aside the promotion effected to respondents 3 and 4 direct the first respondent to fill the vacancy that had arisen due to the retirement of Mr

.G.V.N.S.Kumar, Asst Registrar by a member from category 6 in accordance with the A.P High Court Services Rules ,1975 with all consequential benefits, and, to direct the first respondent herein to promote the members of category 6 ripe for promotion to the posts of Asst Registrars by duly giving effect to the second proviso to the Rule 5 (viz., 50% of the posts of Asst Registrars shall be filled from the members of category 6) under category 4(a).

Counsel for the Petitioners: Mr. Nuty Rammohan Rao

Counsel for the Respondent No.1: Smt.M.Bhaskara Lakshmi

SC for High Court.

Counsel for Respondents 2 & 3: None appeared.

The Court made the following :

ORAL ORDER:

(per The Honourable Sri Devinder Gupta, the Chief Justice)

In view of the fact that by passage of time, petitioners 1 and 2 have been promoted to the posts of Assistant Registrars, we will permit the petitioners to withdraw the Writ Petition with liberty reserved to take-up the matter on administrative side, in case, they still feel aggrieved by any of the order of the respondents, and, the questions raised in the Writ Petition, in view of the withdrawal of Writ Petition, are kept open to be decided in appropriate case.

The Writ Petition, therefore, is dismissed as withdrawn. No costs.

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DEVINDER GUPTA, C.J.

16.12.2004.

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M.NARAYANA REDDY, J.

VR.

To

1.The Registrar General, High Court Of A.P., Hyderabad.

2. Two CD copies.